

REMARKS

Claims 1-4, 9-15, and 45 were pending in the Office Action. The Examiner allowed claims 12 and 13. The Examiner rejected claims 1-4, 10, 11, and 45 under 35 U.S.C. §102(b), with reference to Sakasegawa et al. (JP 04-032081); claims 14 and 15 under 35 U.S.C. §102(b), with reference to Itoh et al. (US 6,021,020); and claims 1, 2, 9, 14 and 15 under 35 U.S.C. §102(e), with reference to Berg et al. (US 6,483,667).

The Applicant hereby responds by canceling claims 2, 3, 4 and 15; amending claims 1, 9-14 and 45; and adding new claim 46.

The Applicant respectfully requests that the Examiner consider these amendments and the following remarks. In light thereof, allowance of claims 1, 9-14 and 45, and 46 is respectfully solicited.

I. AMENDED CLAIM 1 IS NOT ANTICIPATED BY BERG OR SAKASEGAWA

Amended claim 1 is not anticipated by Berg because, for instance, it includes limitations appearing in the original claim 3, which the Examiner found not to be anticipated by Berg.

The amended claim 1 is also not anticipated by Sakasegawa because, for instance, what the Examiner appears to have referred to in Sakasegawa as a cavity floor is two cavity floors that are each a single depth and basically symmetrical about a longitudinal axis. Therefore, the reference does not disclose a first bottom surface positioned substantially on one side of a longitudinal axis, or a second bottom surface positioned substantially on the other side of a longitudinal axis, the depth of the first bottom surface being different than the depth of the second bottom surface.

A surface that is substantially symmetrical about an axis is not positioned substantially on either side of that axis. Sakasegawa shows two surfaces, each having a different depth. However, neither surface is "positioned substantially on one

side" of the longitudinal axis, as is specifically recited in amended claim 1.

II. CLAIMS 46, 10 AND 11 ARE NOT ANTICIPATED BY SAKASEGAWA

It is respectfully submitted that new claim 46 is in allowable form because it recites a cavity floor comprising at least four substantially flat bottom surfaces separated by an elevational change "between adjacent pairs of bottom surfaces." None of the cited references teach or suggest this claimed configuration.

Amended claim 10, which is dependent on new claim 46, is not anticipated by Sakasegawa because, for instance, Sakasegawa does not disclose a cavity floor comprising a plurality of at least four substantially flat bottom surfaces separated by an elevational change between adjacent pairs of said bottom surfaces. What the Examiner appears to have referred to in Sakasegawa as a cavity floor does not have more than one elevational change, so it could not disclose more than two bottom surfaces according to the recited definition.

Neither is the claimed division along the longitudinal axis taught by the cited reference. At best, Sakasegawa shows two surfaces separated by one single elevational change. Even if an imaginary and arbitrary line were imposed along the longitudinal axis to divide each of the two surfaces into a hypothetical and arbitrary pair of surfaces, the resulting hypothetical and arbitrary four surfaces would not be separated by an elevational change "between any pair of said bottom surfaces adjacent to each other", as is recited in new claim 46, upon which amended claim 10 depends.

Amended claim 11 is not anticipated by Sakasegawa at least for reasons similar to those outlined above for claims 46 and 10. Notably, claim 11 recites two surfaces on either side of a

transversal axis, a feature that the cited reference simply neither teaches nor suggests.

III. AMENDED CLAIMS 14 AND 9 ARE NOT ANTICIPATED BY ITOH OR BERG

Amended claim 14 is not anticipated by Itoh or Berg because, for instance, neither Itoh nor Berg disclose a first depth, a second depth, and a third depth of a cavity floor substantially between an inside rail disposed on and extending from a surface proximate an inside edge of a slider body, forming a first portion of a bearing surface, and an outside rail disposed on and extending from a surface proximate an outside edge of the slider body, forming a second portion of the bearing surface.

What the Examiner appears to have referred to in Itoh as the plurality of substantially flat bottom surfaces, are not positioned substantially between an inside rail and an outside rail according to the language of amended claim 14, and so do not anticipate the elements of that claim.

What the Examiner appears to have referred to in Berg as the three different depths of the cavity floor, are not positioned substantially between an inside rail and an outside rail according to the language of amended claim 14, and so do not anticipate the elements of that claim.

Amended claim 9 is not anticipated by Berg for at least the reasons discussed above in reference to claim 14, upon which claim 9 has been made dependent in its amended form.

IV. AMENDED CLAIM 45 IS NOT ANTICIPATED BY SAKASEGAWA

Amended claim 45 is not anticipated by Sakasegawa because, for instance, Sakasegawa does not disclose means for biasing a global center of suction away from the center of figure of the disc head slider as defined in claim 45 as amended, the advantages of which are discussed in the specification, for

example, on page 25, line 16 through page 28, line 2. For another example, amended claim 45 is not anticipated by Sakasegawa because claim 45 conforms to the format delineated in § 2181 of the M.P.E.P. of a means-plus-function claim, and Sakasegawa does not disclose the particular structures disclosed in the specification corresponding to subject matter of claim 45.

V. AMENDED CLAIMS 12 AND 13 CONFORM TO THE INDICATION OF ALLOWABILITY

Applicant affirms the indicated allowability of claims 12 and 13, and requests the Examiner to find that amended claims 12 and 13 are allowable because the amendments merely incorporate the material on which the original claims 12 and 13 were dependent.

VI. CONCLUSION

In conclusion, Applicant submits that independent claims 1, 12-14, 45 and 46 are allowable over the references cited by the Examiner. Further, Applicant submits that dependent claims 9, 10 and 11 are also allowable over the references cited by the Examiner. Reconsideration and allowance of all pending claims 1, 9-14, 45, and 46 are respectfully solicited.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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